

Please type a plus sign (+) inside this box ☐

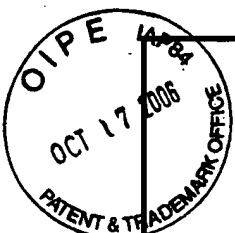
10-20-06

1642

PTO/SB/21 (6-99)

Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 09/989,293			
		Filing Date NOVEMBER 20, 2001	
		First Named Inventor LUC DESNOYERS	
		Group/Art Unit 1642	
		Examiner Name BLANCHARD, DAVID J.	
Total Number of Pages in This Submission 34	Attorney Docket Number 39780-2730 P1C66		

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> FEE TRANSMITTAL FORM <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Copy of Notice	<input type="checkbox"/> Copy of an Assignment <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> COMBINED DECLARATION AND POWER OF ATTORNEY (7 SETS) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> REQUEST PURSUANT TO 37 C.F.R. §1.48(a), CORRECTION OF INVENTORSHIP IN A PATENT APPLICATION, OTHER THAN A REISSUE APPLICATION <input checked="" type="checkbox"/> ADDITIONAL ENCLOSURE(S) (PLEASE IDENTIFY BELOW): <input checked="" type="checkbox"/> CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a); STATEMENT OF OMITTED INVENTOR UNDER 37 C.F.R. §1.48(a)(2); and STAMPED RETURN POSTCARD
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Remarks

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER, REFERENCING ATTORNEY'S DOCKET NO. 39780-2730 P1C66.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	HELLER EHRMAN LLP			DAPHNE REDDY (Reg. No. 53,507)	
	275 Middlefield Road, Menlo Park, California 94025			Telephone: (650) 324-7000	Facsimile: (650) 324-0638
Signature	<i>Daphne Reddy</i>				
Date	OCTOBER 17, 2006		Customer Number:	35489	

CERTIFICATE OF EXPRESS MAILING

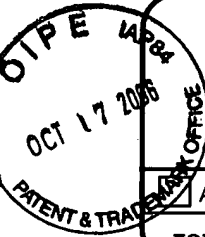
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: **MAIL STOP**, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on this date: **OCTOBER 17, 2006**

Express Mail Label **EV 766 021 637 US**

Typed or printed name	C. FONG		
Signature	<i>C. Fong</i>	Date	OCTOBER 17, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop ___, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2006

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**130.00**

Complete if Known

Application Number	09/989,293
Filing Date	NOVEMBER 20, 2001
First Named Inventor	LUC DESNOYERS
Examiner Name	BLANCHARD, DAVID J.
Art Unit	1642
Attorney Docket No.	39780-2730 P1C66

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: **08-1641**
Deposit Account Name: **HELLER EHRMAN, LLP (39780-2730 P1C66)**

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 300	2001 150	Utility filing fee	
1002 200	2002 100	Design filing fee	
1003 200	2003 100	Plant filing fee	
1004 300	2004 150	Reissue filing fee	
1005 200	2005 100	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 50	2202 25	Claims in excess of 20
1201 200	2201 100	Independent claims in excess of 3
1203 360	2203 180	Multiple dependent claim, if not paid
1204 200	2204 100	** Reissue independent claims over original patent
1205 50	2205 25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1,020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2,160	2255 1,080	Extension for reply within fifth month	
1401 500	2401 250	Notice of Appeal	
1402 500	2402 250	Filing a brief in support of an appeal	
1403 1,000	2403 500	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 500	2452 250	Petition to revive - unavoidable	
1453 1,500	2453 750	Petition to revive - unintentional	
1501 1,400	2501 700	Utility issue fee (or reissue)	
1502 800	2502 400	Design issue fee	
1503 1,100	2503 550	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**130.00**

SUBMITTED BY

Name (Print/Type)	DAPHNE REDDY	Registration No. (Attorney/Agent)	53,507	Telephone	(650) 324-7000
Signature	<i>Daphne Reddy</i>	Date	OCTOBER 17, 2006		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Blanchard, David J.
Audrey GODDARD, et al.) Art Unit: 1642
Application Serial No. 09/989,293) Confirmation No: 9393
Filed: November 20, 2001) Attorney's Docket No. 39780-2730 P1C66
For: NUCLEIC ACIDS ENCODING PRO1159) Customer No. 35489
POLYPEPTIDES

REQUEST PURSUANT TO 37 C.F.R. § 1.48(a), CORRECTION OF
INVENTORSHIP IN A PATENT APPLICATION, OTHER THAN A REISSUE
APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This Request seeks to add Ellen Filvaroff as a joint inventor in the above-identified application. Ms. Filvaroff was inadvertently and without deceptive intent not included as a joint inventor in the above-identified application. Enclosed are the following documents in support of this Request:

- (a) a statement signed by Ms. Filvaroff indicating that the error in inventorship in the above-referenced application occurred without deceptive intent on her part;
- (b) a declaration by the actual inventors under 37 C.F.R. § 1.63;
- (c) the fee set forth in 37 C.F.R. § 1.17(i) (\$130.00); and
- (d) a written consent of Genentech, Inc., assignee of the entire title, right and interest in the above-captioned application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 08-1641 (Attorney's Docket No. 39780-2730 P1C66). Please direct any calls in connection with this application to the undersigned at the number provided below.

Amendment Under 37 C.F.R. §1.48(a)
Application Serial No. 09/989,293
Attorney's Docket No. 39780-2730 P1C66

09989293

10/24/2006 RHEBRHT 00000094 081641

01 FC:1464 130.00 DA

Respectfully submitted,

Date: 10/17/06

Daphne Reddy
Daphne Reddy
(Reg. No. 53,507)

HELLER EHRMAN LLP
275 Middlefield Road
Menlo Park, California 94025-3506
Telephone: (650) 324-7000
Facsimile: (650) 324-0638



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Examiner: Blanchard, David J.
Audrey GODDARD, et al.)	Art Unit: 1642
Application Serial No. 09/989,293)	Confirmation No: 9393
Filed: November 20, 2001)	Attorney's Docket No. 39780-2730 P1C66
For: NUCLEIC ACIDS ENCODING PRO1159)	Customer No. 35489
POLYPEPTIDES		

CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir,

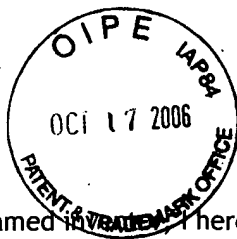
The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). The assignment is recorded at Reel 012176 and Frame 0450. This assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

The undersigned hereby states that Assignee agrees to the correction of the inventorship of the above-identified patent application to include Ellen Filvaroff as a joint inventor.

Respectfully submitted,

Date: _____

By: Mark T. Kresnak EMB
Mark T. Kresnak
Associate General Counsel Patent Law
Genentech, Inc.
1 DNA Way
South San Francisco, California 94080



Docket No. 39780-2730 P1C66

**COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NUCLEIC ACIDS ENCODING PRO1159 POLYPEPTIDES

the specification of which (check one) ☐ is attached hereto or ☒ was filed on November 20, 2001 as Application Serial No. 09/989,293 and was amended on November 20, 2001, September 3, 2002, September 16, 2004, December 1, 2004, December 14, 2004 and February 16, 2005.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate have a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

ClaimedPriorityYesNo

Number	Country	Day/Month/Year Filed
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below:

Application Ser. No.	60/095,285	Filing Date:	Aug. 4, 1998
----------------------	------------	--------------	--------------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Ser. No.	09/941,992	Filing Date	Aug. 28-2001
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Application Ser. No.	PCT/US00/08439	Filing Date	Mar. 30-2000
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Application Ser. No.	PCT/US00/05841	Filing Date	Mar. 2, 2000
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Application Ser. No.	09/380,137	Filing Date	Aug. 25, 1999
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Status Abandoned

Application Ser. No.	PCT/US99/12252	Filing Date	Jun. 2, 1999
----------------------	----------------	-------------	--------------

POWER OF ATTORNEY: As a named inventor, I hereby appoint all Attorney(s) and/or Agent(s) associated with the following Patent Office Issued Customer Number to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

25213/09157

Send correspondence to : **GINGER R. DREGER, ESQ.**
Heller Ehrman, LLP
275 Middlefield Road
Menlo Park, CA 94025
Telephone: (650) 324-7000
Facsimile: (650) 324-0638

I hereby declare that all statements made herein of my own knowledge and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from his foreign patent agent as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Full name of sole or first inventor: **LUC DESNOYERS**


Inventor's signature

09/14/2006
Date

Residence: **2050 Stockton Street, San Francisco, CA 94133**

Citizenship: **CA**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of second joint inventor, if any: **ELLEN FILVAROFF**

Inventor's signature

Date

Residence: **538 18th Avenue, San Francisco, CA 94121**

Citizenship: **US**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of third joint inventor, if any: **AUDREY GODDARD**

Inventor's signature

Date

Residence: **110 Congo Street, San Francisco, CA 94131**

Citizenship: **CA**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of fourth joint inventor, if any: **PAUL J. GODOWSKI**

Inventor's signature

Date

Residence: **25 Orange Court, Hillsborough, CA 94010**

Citizenship: **US**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of fifth joint inventor, if any: **AUSTIN GURNEY**

Inventor's signature

Date

Residence: **946 Diamond Street, San Francisco, CA 94114**

Citizenship: **US**

Post Office Address
946 Diamond Street
San Francisco, CA 94114

Full name of sixth joint inventor, if any: **WILLIAM I. WOOD**

Inventor's signature

Date

Residence: **35 Southdown Court, Hillsborough, CA 94010**

Citizenship: **US**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of sole or first inventor: **COLIN K. WATANABE**

Inventor's signature

Date

Residence: **128 Corliss Drive, Moraga, CA 94556**

Citizenship: **US**

Post Office Address
1 DNA Way
South San Francisco, CA 94080



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Blanchard, David J.
Audrey GODDARD, et al.) Art Unit: 1642
Application Serial No. 09/989,293) Confirmation No: 9393
Filed: November 20, 2001) Attorney's Docket No. 39780-2730 P1C66
For: NUCLEIC ACIDS ENCODING PRO1159) Customer No. 35489
POLYPEPTIDES

STATEMENT OF OMITTED INVENTOR UNDER 37 C.F.R. § 1.48(a)(2)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

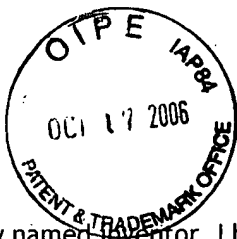
Dear Sir:

I, Ellen Filvaroff, hereby state that I was omitted as an inventor in the above application. I further state that this omission is due to an error which occurred without any deceptive intention on my part.

Respectfully submitted,

Date: 9/18/06

By: Ellen Filvaroff
Ellen Filvaroff



Docket No. 39780-2730 P1C66

COMBINED DECLARATION FOR PATENT APPLICATION
AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

NUCLEIC ACIDS ENCODING PRO1159 POLYPEPTIDES

the specification of which (check one) ☐ is attached hereto or ☒ was filed on November 20, 2001 as Application Serial No. 09/989,293 and was amended on November 20, 2001, September 3, 2002, September 16, 2004, December 1, 2004, December 14, 2004 and February 16, 2005.

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Prior Foreign Application(s):

Priority

Claimed

Yes

No

Number	Country	Day/Month/Year Filed
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Application Ser. No.	PCT/US00/05841	Filing Date	Mar. 2, 2000	
Application Ser. No.	09/380,137	Filing Date	Aug. 25, 1999	Status Abandoned
Application Ser. No.	PCT/US99/12252	Filing Date	Jun. 2, 1999	

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Telephone: (650) 324-7000
Facsimile: (650) 324-0638

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Full name of sole or first inventor: **LUC DESNOYERS**

Inventor's signature

Date

Residence: **2050 Stockton Street, San Francisco, CA 94133**

Citizenship: **CA**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of second joint inventor, if any: **ELLEN FILVAROFF**

Inventor's signature

Date

Residence: **538 18th Avenue, San Francisco, CA 94121**

Citizenship: **US**

Post Office Address
1 DNA Way
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Full name of third joint inventor, if any: **AUDREY GODDARD**

Inventor's signature

Date

Residence: **110 Congo Street, San Francisco, CA 94131**

Citizenship: **CA**

Post Office Address

1 DNA Way

South San Francisco, CA 94080

Full name of fourth joint inventor, if any: **PAUL J. GODOWSKI**

Inventor's signature

Date

Residence: **25 Orange Court, Hillsborough, CA 94010**

Citizenship: **US**

Post Office Address

1 DNA Way

South San Francisco, CA 94080

Full name of fifth joint inventor, if any: **AUSTIN GURNEY**

Inventor's signature

Date

Residence: **946 Diamond Street, San Francisco, CA 94114**

Citizenship: **US**

Post Office Address

946 Diamond Street

San Francisco, CA 94114

Full name of sixth joint inventor, if any: **WILLIAM I. WOOD**

Inventor's signature

Date

Residence: **35 Southdown Court, Hillsborough, CA 94010**

Citizenship: **US**

Post Office Address

1 DNA Way

South San Francisco, CA 94080

Full name of sole or first inventor: **COLIN K. WATANABE**

Inventor's signature

Date

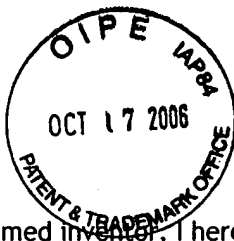
Residence: **128 Corliss Drive, Moraga, CA 94556**

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NUCLEIC ACIDS ENCODING PRO1159 POLYPEPTIDES

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25213/09157

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Menlo Park, CA 94025
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Full name of sole or first inventor: **LUC DESNOYERS**

Inventor's signature

Date

Residence: **2050 Stockton Street, San Francisco, CA 94133**

Citizenship: **CA**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of second joint inventor, if any: **ELLEN FILVAROFF**

Inventor's signature


Date

Residence: **538 18th Avenue, San Francisco, CA 94121**

Citizenship: **US**

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of third joint inventor, if any: **AUDREY GODDARD**


Inventor's signature

Date 9/27/06

Residence: ~~110 Congo Street, San Francisco, CA 94131~~
72 Merced Ave. San Francisco CA 94127 *AK*

Citizenship: CA

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of fourth joint inventor, if any: **PAUL J. GODOWSKI**

Inventor's signature

Date _____

Residence: 25 Orange Court, Hillsborough, CA 94010

Citizenship: US

Post Office Address
1 DNA Way
South San Francisco, CA 94080

Full name of fifth joint inventor, if any: **AUSTIN GURNEY**

Inventor's signature _____

Date _____

Residence: 946 Diamond Street, San Francisco, CA 94114

Citizenship: US

Post Office Address
946 Diamond Street
San Francisco, CA 94114.

Full name of sixth joint inventor, if any: **WILLIAM I. WOOD**

Inventor's signature

Date

Residence: **35 Southdown Court, Hillsborough, CA 94010**

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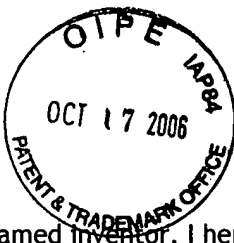
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Docket No. 39780-2730 P1C66

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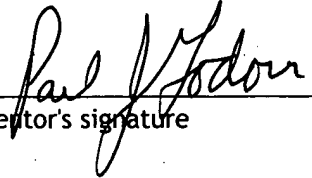
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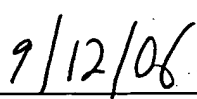
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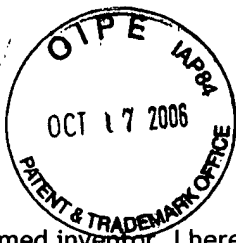
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9/10/06

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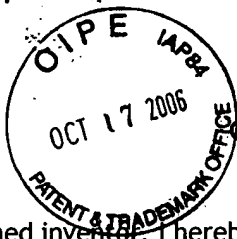
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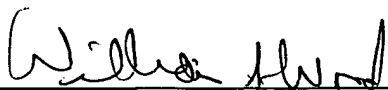
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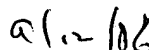
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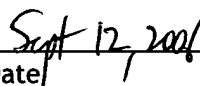
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Inventor's signature



Date

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